



CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on January 22, 1998.

*William Schmonsees*

William Schmonsees, Reg. No. 31,796

1/22/98

Date

#4 Y.R.

02/04/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Tovey et al.

Application No. 08/853,292

: Group Art Unit: 1801

Filed: May 9, 1997

: Examiner: Not yet assigned

For: Stimulation of Host Defense Mechanisms Against Viral Challenges

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT**

Transmitted herewith for filing in the above-entitled patent application is an Information Disclosure Statement, in compliance with 37 CFR 1.97, with referenced documents A-V. Also included is a copy of the International Search Report and a return postcard.

- [X] The Information Disclosure Statement is being submitted: (a) within three months of the filing date, or (b) before the mailing date of the first Office action on the merits. **Therefore, no fee is due under 37 CFR 1.97(b).**
- [ ] The Information Disclosure Statement is submitted more than three months after the filing date and after the mailing date of the first Office action on the merits, but, before a final action under § 1.113 or a notice of allowance under § 1.311. Applicant(s)' attorney hereby certifies under 37 CFR 1.97(e)(1) that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office on a counterpart foreign application not more than three months prior to the filing of the Statement. **Therefore, no fee is due under 37 CFR 1.97(c).**
- [ ] The Information Disclosure Statement is submitted more than three months after the filing date and after the mailing date of the first Office action on the merits, but, before a final action under § 1.113 or a notice of allowance under § 1.311. Applicant(s)' attorney hereby certifies under 37 CFR 1.97(e)(2) that no item of information contained in the Information Disclosure Statement was cited in a

a notice of allowance under § 1.311. Applicant(s)' attorney hereby certifies under 37 CFR 1.97(e)(2) that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a foreign counterpart application, or, to the undersigned Attorney's knowledge after making reasonable inquiry, was known to any person designated in § 1.56(c) more than three months prior to the filing of the Statement. **Therefore, no fee is due under 37 CFR 1.97(c).**

**Deposit Account Authorization**

☐ The Information Disclosure Statement is submitted more than three months after the filing date and after the mailing date of the first Office action on the merits, but, before a final action under § 1.113 or a notice of allowance under § 1.311, without certification under 37 CFR 1.97(e). Therefore, *only if this entry is checked in the left margin*, the **\$240.00** fee set forth in § 1.17(p) is authorized below.

☐ The Information Disclosure Statement is submitted after the mailing date of a final action under § 1.113 or a notice of allowance under § 1.311, but before payment of the issue fee.

☐ Applicant(s)' attorney hereby certifies under 37 CFR 1.97(e)(1) that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office on a counterpart foreign application not more than three months prior to the filing of the Statement.

☐ Applicant(s)' attorney hereby certifies under 37 CFR 1.97(e)(2) that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a foreign counterpart application, or, to the undersigned Attorney's knowledge after making reasonable inquiry, was known to any person designated in § 1.56(c) more than three months prior to the filing of the Statement.

Applicant(s) hereby petition requesting consideration of the Information Disclosure Statement. Therefore, *only if this entry is checked in the left margin*, the **\$240.00** petition fee set forth in § 1.17(i)(1) is authorized below.

☐ Please charge \$\_\_\_\_\_ to Deposit Account No. \_\_\_\_\_.

☒ The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Account No. 08-1641. This is not, however, an authorization to pay the issue fee. A duplicate of this document is enclosed.

Respectfully submitted,



William Schmonsees  
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Date: January 22, 1998

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